



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: 14310-D-00309
Date Received: 5/13/14
Commission/Group: Clintonville
Existing Zoning: C-4 Application Accepted by: D. Reiss Fee: \$1,900.00
Comments: 7/22/14

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

We are requesting a variance from 3353.05(D)(2) regarding buffer type to allow for a simple cedar plank fence and no planting buffer, a variance from section 3353.(D)(4) for the setback distance of the 100' monopole from residential of 200' to 45' from residential districts, and from section 3312.49 for a variance from the number of parking spaces required to zero (0).

LOCATION

1. Certified Address Number and Street Name 3005 Indianola Avenue
City Columbus State OH Zip 43202
Parcel Number (only one required) 010-039589

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Kristopher M. Nickel
Address 3173 Deanpark Drive City/State Hilliard / Ohio Zip 43026
Phone # 614-582-8825 Fax # 614-583-9148 Email kit.nickel@cbjm.com

PROPERTY OWNER(S):

Name August T. Simmons
Address 3013 Indianola Avenue City/State Columbus / Ohio Zip 43202
Phone # 614-262-2535 Fax # Email
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) ☐ Attorney ☒ Agent

Name Kristopher M. Nickel
Address 3173 Deanpark Drive City/State Hilliard / Ohio Zip 43026
Phone # 614-582-8825 Fax # 614-583-9148 Email: kit.nickel@cbjm.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Kristopher M. Nickel
PROPERTY OWNER SIGNATURE August T. Simmons
ATTORNEY / AGENT SIGNATURE Kristopher M. Nickel

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

14310-00309
3005 Indianola Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Kristopher M. Nickel

of (1) MAILING ADDRESS 3173 Deanpark Drive, Hilliard, OH 43026

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) August T. Simmons

AND MAILING ADDRESS

3013 Indianola Avenue

Columbus, OH 43202

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

Kristopher M. Nickel

614-582-8825

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Clintonville Area Commission

Dana Bagwell

3982 N. High Street, Columbus, OH 43214

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS
Please see attached list of owners

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12 day of May, in the year 2014

SIGNATURE OF NOTARY PUBLIC

My Commission Expires 10-18-2014



Robert Buchanan
Notary Public, State of Ohio
My Commission Expires 10-18-2014

(8) Kristopher M. Nickel

(8) K. Buchanan
10-18-14

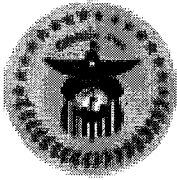
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OWNER LIST

*Properties within 125' of Franklin County Parcels
010-039859 and 010-078483*

OWNER	PROPERTY ADDRESS	MAILING ADDRESS
August T. Simmons	3005 Indianola Avenue	3013 Indianola Avenue Columbus, OH 43202
August T. Simmons	3013 Indianola Avenue	3013 Indianola Avenue Columbus, OH 43202
Charles & Michele Vorhees	2996 Woodbine Place	2307 Possum Hollow RD SE New Philadelphia, OH 44663
Sallie J Debolt	418 Weber Road	418 Weber Road Columbus, OH 43202
Davis Properties I	3026-28 Indianola Avenue	285 Croswell Road Columbus, OH 43214
Melissa A Reed	422 Weber Road	422 Weber Road Columbus, OH 43202
Davis Properties I	2889 Indianola Avenue	285 Croswell Road Columbus, OH 43215
IML LP II	Indianola Avenue	175 W. Campus View Blvd Columbus, OH 43235
IML LP II	2991 Indianola Avenue	175 W. Campus View Blvd Columbus, OH 43235
Wendy A Albert	2990 Indianola Avenue	2990 Indianola Avenue Columbus, OH 43202
Mary C Fulton & Pia S Farrell	2994 Indianola Avenue	2994 Indianola Avenue Columbus, OH 43202
Davis Properties IV	3004-6 Indianola Avenue	3805 N. High Street Columbus, OH 43214
Christine A Tarini	3010-69 Indianola Avenue	1319 Lakeside Way Worthington, OH 43085

David A Roberts & Linda C Roberts	3020-22 Indianola Avenue	289 Lenappe Drive Columbus, OH 43214
Anne Allen & Andrew Armstrong	3014 Woodbine Place	3014 Woodbine Place Columbus, OH 43202
Mary A Armstrong	3010 Woodbine Place	3010 Woodbine Place Columbus, OH 43202
Richard K Hurni	3020 Woodbine Place	3020 Woodbine Place Columbus, OH 43202
Garry L Rowe & Pamela S Rowe	3023 Indianola Avenue	6650 Evening Street Worthington, OH 43085
Karen K Robinson	3028 Woodbine Place	3028 Woodbine Place Columbus, OH 43202
Clark M Deringer & Anne M Deringer	3034 Woodbine Place	3034 Woodbine Place Columbus, OH 43202
Garry L Rowe & Pamela S Rowe	3025-29 Indianola Avenue	6650 Evening Place Worthington, OH 43085
Wheeler Investments c/o Ashram Holdings	3033-35 Indianola Avenue	1433 Grandview Avenue Columbus, OH 43212
John D Vazquez	3042 Woodbine Place	3042 Woodbine Place Columbus, OH 43202
Gary J Wilkosz, Trustee	3017-21 Indianola Avenue	3017 Indianola Avenue Columbus, OH 43202
Coventry Properties	2997 Indianola Avenue	6011 Forestview Drive Columbus, OH 43213



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

14310-00309
3005 Indianola Ave.

One Stop Shop Zoning Report Date: Tue May 13 2014

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 3005 INDIANOLA AVE COLUMBUS, OH

Mailing Address: 3007 INDIANOLA AVE

COLUMBUS OH 43202

Owner: SIMMONS AUGUST T SIMMONS MIRIA

Parcel Number: 010039859

ZONING INFORMATION

Zoning: ORIG, Commercial, C4

effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: INDIANOLA AVE/WEBER ROAD UCO

Graphic Commission: N/A

Area Commission: Clintonville Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

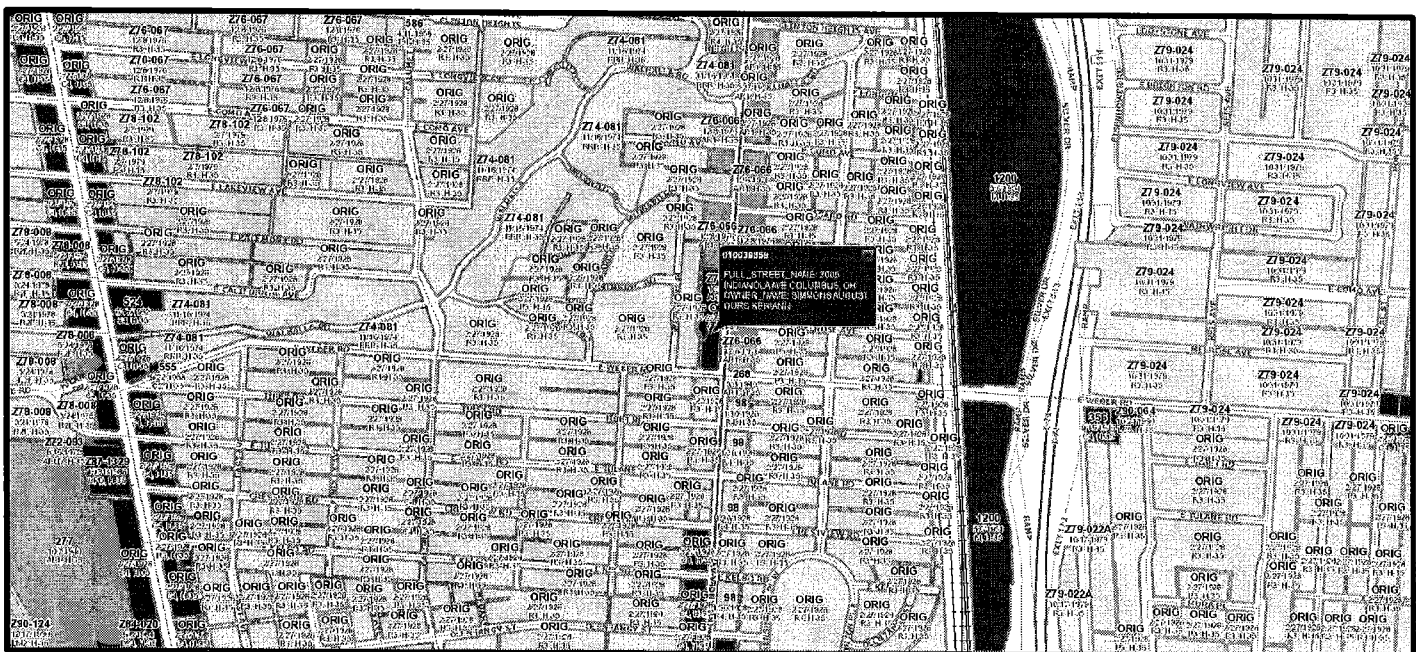
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





BOARD OF ZONING ADJUSTMENT APPLICATION

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STATEMENT OF HARDSHIP

14310-00309
3005 Indianola Ave.

APPLICATION # _____

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

The Columbus Zoning Code discriminates against the siting of tower sites on smaller commercially-zoned properties by employing a 200% of tower height setback from residential districts. Larger commercial properties allow for the simple siting of new towers to meet service needs, however, the greatest service needs today are in high-density residential neighborhoods. The only way to meet this growing need is to locate towers where the need is. The code which regulates this placement is under control of the City of Columbus, and is out of the control of the property owner. Only a variance can mitigate the problem created by the code allowing service providers to meet the needs of residential areas. Over 20 years of new tower development has consistently shown that tower sites do not harm nearby property values, which is the most common concern. In addition, towers are designed to fold in upon themselves in the unlikely event of a catastrophic structural failure, limiting damage to the site upon which they are located.

Signature of Applicant

Kristopher M. Nickles

Date

5-12-2014

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T-Mobile
400 HOLIDAY DRIVE, SUITE 200
PITTSBURGH, PA 15220
(412) 733-2020

IS PREPARED BY:

NEW HORIZON

SITE SERVICES

93 East Shenango Street
Sharpsville, PA 16150
724.363.4033
www.newhss.com

MILA PARTNER: ■

DRAWING NOTICE: THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF T-MOBILE AND MAY NOT BE REPRODUCED, DISSEMINATED OR REDISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF T-MOBILE.

PROJECT NUMBER:		15- X0001	
REVISIONS:			
DESCRIPTION	DATE	BY	REV
ISSUED FOR REVIEW	04.18.14	ME	A
REDLINE REVISION	03.05.14	ME	B
REDLINE REVISION	03.0.14	ME	C

SITE NAME: —

IMPERIAL CLEANERS

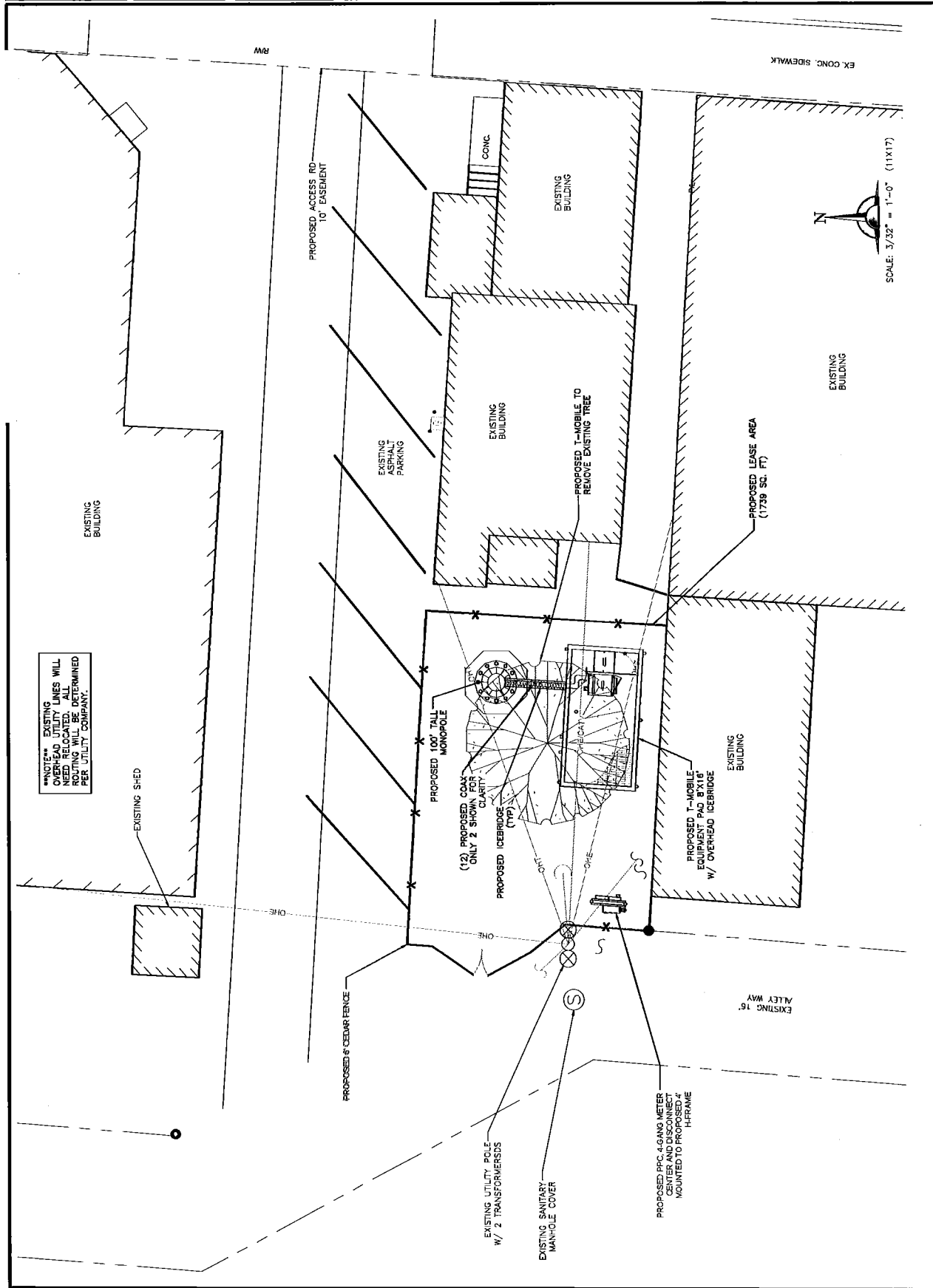
ITEM NUMBER: _____

005 INDIANOLA AVENUE
COLUMBUS, OH 43202

BRIEF DESCRIPTION:

SITE PLAN

11



14310-00309
3005 Indianola Ave.

T-Mobile

400 HOLIDAY DRIVE, SUITE 200
PITTSBURGH, PA 15220
(412) 733-2220

PLANS PREPARED BY
NEW HORIZON
SITE SERVICES
82 East Shermargo Street
Sharsville, PA 16150
724.883.4033
www.nh-hs.com

M/A PARTNER

THESE PLANS AND THE
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PROJECT NUMBER 15- 2200

REVISION	DESCRIPTION	DATE	BY	APP'D
1	REVISED PER COMMENTS	08/01/14	AE	B
2	REVISED PER COMMENTS	08/01/14	AE	B
3	REVISED PER COMMENTS	08/01/14	AE	C

SITE NAME

IMPERIAL CLEANERS

SITE NUMBER

A6C0779

SITE ADDRESS

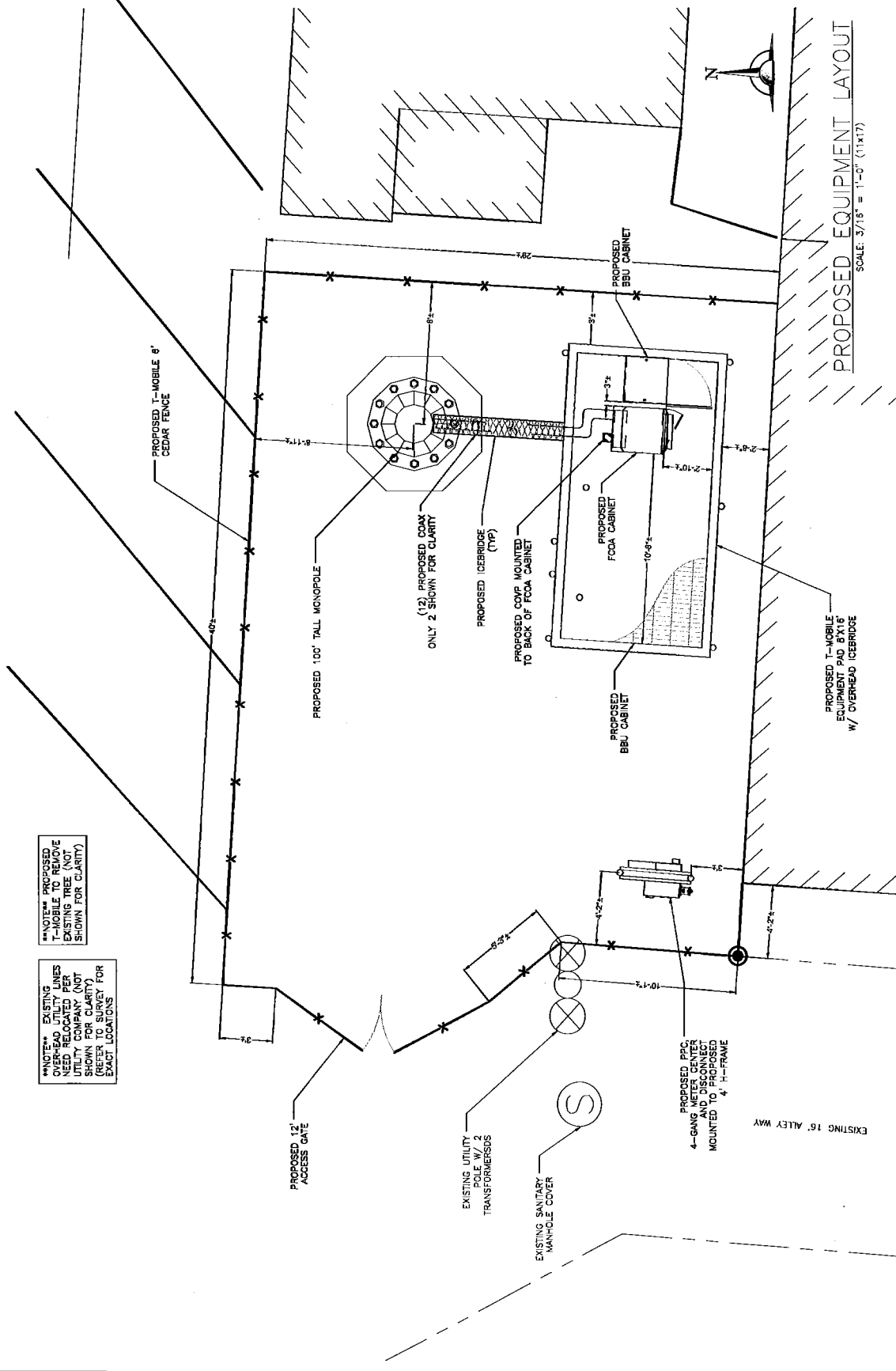
3005 INDIANOLA AVENUE
COLUMBUS, OH 43202

SHEET DESCRIPTION

EQUIPMENT PLAN

SHEET NUMBER

LE-2



EXISTING PROPOSED OVERHEAD LINES T-MOBILE TO REMOVE EXISTING TREE (NOT SHOWN FOR CLARITY)

EXISTING EXISTING OVERHEAD LINES T-MOBILE TO REMOVE EXISTING TREE (NOT SHOWN FOR CLARITY)

T-Mobile

400 HOLIDAY DRIVE, SUITE 200
PITTSBURGH, PA 15220
(412) 733-2020

PLANS PREPARED BY:
NEW HORIZON
SITE SERVICES

92 East Shermans Street
Shippensburg, PA 17150
717-938-0000
www.nhshipp.com

M/A PARTNER:

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PROJECT NUMBER: TS-00002

REVISIONS	DESCRIPTION	DATE	BY	REV
ISSUED FOR REVIEW		04.16.14	AE	A
REQUIRE REVISION		05.03.14	AE	B
REQUIRE REVISION		05.03.14	AE	C

SITE NAME:

IMPERIAL CLEANERS

SITE NUMBER:

A6C0779

SITE ADDRESS:

3005 INDIANOLA AVENUE
COLUMBUS, OH 43202

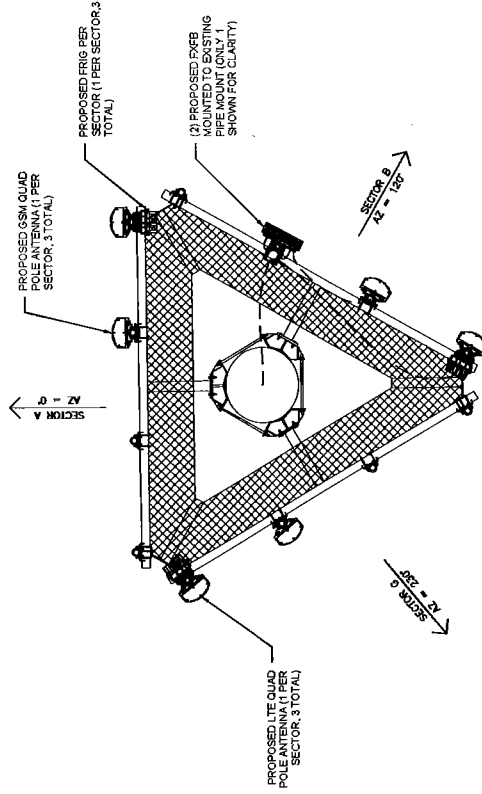
SHEET DESCRIPTION:

ELEVATION AND
ANTENNA LAYOUT

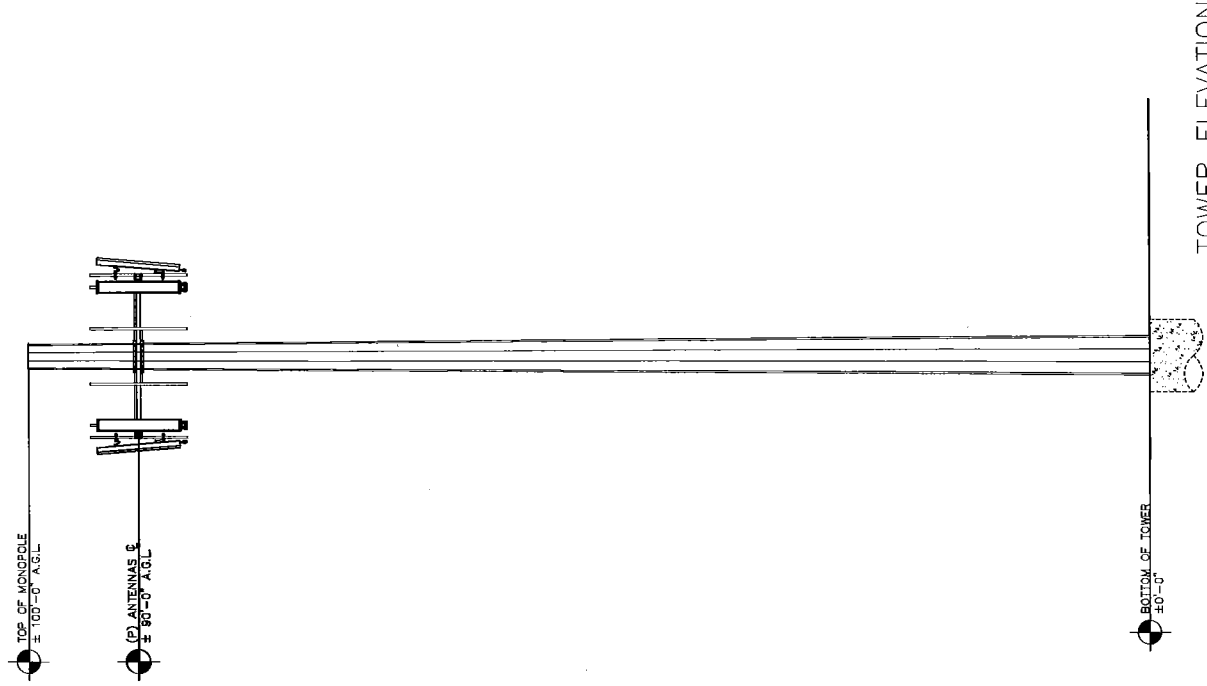
SHEET NUMBER:

LE-3

*NOTE: ANTENNAS AND
MOUNTING HARDWARE
LOCATIONS ARE
FOR REFERENCE ONLY.
ACTUAL ANTENNA MODEL
AND LOCATION TBD.



PROPOSED ANTENNA LAYOUT
SCALE: 1/4" = 1'-0" (11X17)



TOWER ELEVATION
SCALE: 3/32" = 1'-0" (11X17)



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 5/12/14



Disclaimer

Scale = 60

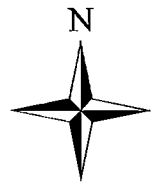


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010039859

Zoning Number: 3005

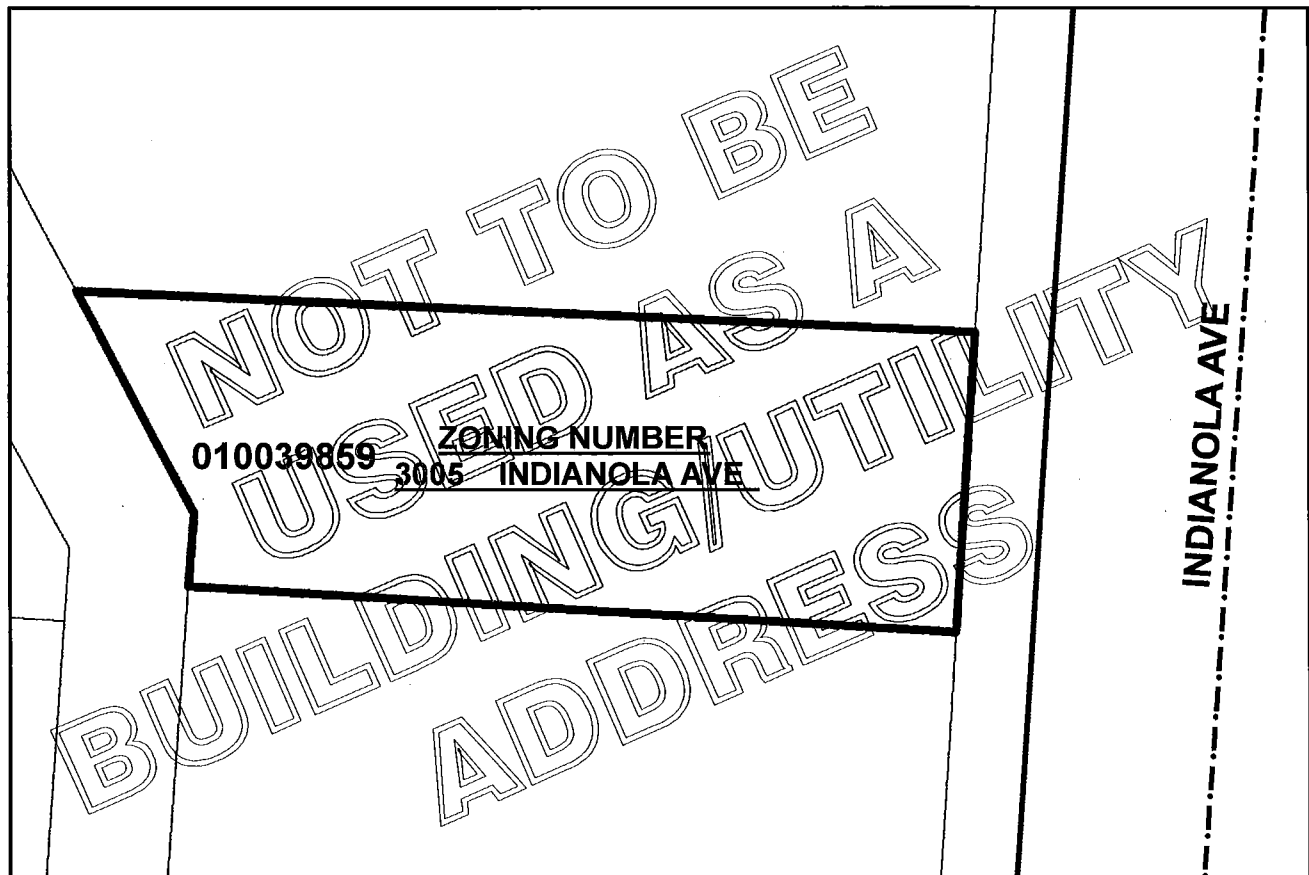
Street Name: INDIANOLA AVE

Lot Number : 12-13

Subdivision: WOODBINE PLC

Requested By: CBJM DEVELOPMENT, LLC (KIT NICKEL)

Issued By: *Edyana Williams* Date: 5/8/2014



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 20263

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

August T. Simmons, with an address of 3013 Indianola Avenue, Columbus, Ohio 43202, hereinafter referred to as Principal, being of sound mind, does appoint **Kristopher M. Nickel**, hereinafter referred to as Agent, as his true and lawful attorney-in-fact.

Regarding the real estate owned by Principal, and located at 3005/3007 Indianola Avenue, Columbus, OH 43202, which is also known as Franklin County Parcel Number 010-039859, and which is further identified in the attached Exhibit A.

In the Principal's name, and for the Principal's benefit, said Agent is authorized hereby to:

- (1) Make application for any governmental authorizations, permits, variances, exceptions and other required governmental approvals for the development of a wireless telecommunications facility including a telecommunications tower within and upon the real estate, and for the additional benefit and use of TowerCo 2013, LLC, a Delaware limited liability company, and T-Mobile Central LLC, a Delaware limited liability company.
- (2) Acknowledge and authorize any conditions for the approval of any governmental permits granted either administratively or by a governmental board which is authorized to limit, expand and empower land use.
- (3) Correct any existing or potential zoning violations through the same process, which may include, but not be limited to, automobile parking requirements, within the subject property, and upon any adjoining property which is owned by Principal.

This Power of Attorney shall go into effect upon the date of Principal's signature below, and shall terminate at 12:00 AM on October 1, 2014.

Principal indemnifies and holds Agent harmless for any authorized acts conducted under this Power of Attorney.

Giving and granting to said attorney full power and authority to do all and every act and thing whatsoever requisite and necessary to be done relative to any of the foregoing as fully to all intents and purposes as principal might or could do if personally present.

All that said attorney shall lawfully do or cause to be done under the authority of this power of attorney is expressly approved.

Authorized by: August T. Simmons, Principal

August T. Simmons

Date: 5/12/14

STATE OF OHIO

COUNTY OF FRANKLIN

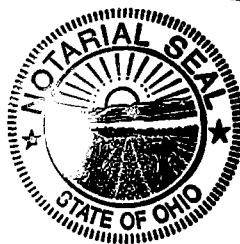
BEFORE ME, the undersigned authority, on this 12 day of May, 2014, personally appeared **August T. Simmons**, known to be the person described in and who signed the foregoing, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein expressed.

WITNESS my hand and official seal the date aforesaid.

Glen E. Brich

NOTARY PUBLIC

My Commission Expires: April 19, 2016



GLEN E BRICH
Notary Public
In and for the State of Ohio



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION:

14310-00309
3005 Indianola Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Kristopher M. Nickel
of (COMPLETE ADDRESS) 3173 Deanpark Drive, Hilliard, OH 43026

deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

August T. Simmons / 3013 Indianola Avenue, Columbus, OH 43202 (property owner)

TowerCo 2013 LLC / 5000 Valleystone Drive, Cary, NC 27519 (tower site owner)

T-Mobile Central LLC / 6200 Oak Tree Blvd, Suite 125, Independence, OH 44131 (tenant)

SIGNATURE OF AFFIANT

Kristopher M. Nickel

Subscribed to me in my presence and before me this 12 day of MAY, in the year 2014

SIGNATURE OF NOTARY PUBLIC

Robert Buchanan

My Commission Expires:

10-18-14



Robert Buchanan
Notary Public, State of Ohio
My Commission Expires 10-18-2014

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